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	4	20040073151		2004-04	l-15	Weston			
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	8	20050177190		2005-08	3-11	D.S. Zamierow	⁄ski		
	9	20050182445		2005-08-18		D.S. Zamierow	⁄ski		
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	2		KCI v. BlueSky, Expert Report of John T. Goolkasian in Rebuttal to Report of Michael H. Baniak, with Exhibits, (Feburary 18, 2005). BS-15					
	3	KCI v. BlueSky, Rebuttal Expert Report of Louis C. Argenta, M.D. to Expert Report of Michael H. Baniak, (February 18, 2005). BS-16						, .
	4	Opposition to Patent EP 0,688,189 - New European patent specification EP 0,688,189 B2; Date of publication and mention of the opposition decision: June 1, 2005. EPOPWH2-01						
	5	Opposition to EP 0,688,189 - Notice of opposition to European patent no. 0,688,189 by Mondomed N.V., and letter to EPO, 12 pp. (dated June 12, 2001) EPOPWH2-02						
	6	3M loban 2, Breathability Conformability and Stren						
	7	ACU-derm® Transparent	t Moisture Vapor I	Permeat	ole Polyurethane	Dressing, (14 sheets).	NPL-003	
	8	Aeros, "Moblvac II", (1 sh	neet). NPL-004					

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9	BANWELL, P.E., et al., "Topical negative pressure (TNP): the evolution of a novel wound therapy," J. Wound Care, 12 (1):22-8 (January 2003). NPL-035	
10	BARILLO, D., et al., "Management of burns to the hand", Wounds 2003, 15(1):4-9, Health Management Publications, Inc., (11 sheets) (Posted 02/12/2003). NPL-037	
11	CARDOZO, M., "A case study of holistic wound management in intensive care", Br. J. Nurs., 12(11 Suppl):S35-37, S40-42 (June 2003). NPL-069	
12	CHARIKER-JETER® Wound Drainage Kit Instructions, Item #500.7777, BlueSky Medical, 2 pp. NPL-076	
13	CHARIKER-JETER® Wound Drainage Kit, BlueSky Medical, and Wooding-Scott ® Drainage/Irrigation Kit, 2 page advertisement with copy of business card from Quality Medical Supply. NPL-077	
14	CHARIKER-JETER® Wound Sealing Kit, Wound Application Instructions, 1 page advertisement. NPL-078	
15	COLLIER, M., "Topical negative pressure therapy", Nurs. Times, 99(5):54-5 (February 4-10, 2003). NPL-091	
16	COOK PNEUMOTHORAX CATHETER SET, WAYNE PNEUMOTHORAX CATHETER SET, Emergency Medicine, Videotape advertisement. (3 pp.) NPL-094	
17	COOPER, D., "Wound Healing", Nurs. Clin. N. Am., 25(1):163-164 (March 1990). NPL-096	
18	COYLE, M.B., et al., "A case study: positive outcomes to negative pressure wound therapy – a collaborative assessment", Hospital of Saint Raphael, 1 page chart. NPL-102	
19	DEKNATEL, Div. Of Howmedica, Inc. Queens Village, NY 11429. "Pleur-evac." NPL-111	

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20	DOMKOWSKI, P.W., et al., "Evaluation of vacuum-assisted closure in the treatment of poststerotomy mediastinitis," J. Thorac. Cardiovasc. Surg., 126(2):386-90 (August 2003). NPL-119	
21	Dow Corning Silastic® Foam Dressing: A New Concept in the Management of Open Granulating Wounds, 2 pp. of advertisements. NPL-121	
22	DuoDERM™ Hydroactive™ Dressing, "In wound management – Now, a proven environment for fast healing", 1 page advertisement. NPL-126	
23	EDLICH, R.F., et al., "Surgical devices in wound healing management", Wound Healing: Biochemical and Clinical Aspects, pp. 581-599 (1992). NPL-131	
24	EGINTON, M.T., et al., "A prospective randomized evaluation of negative-pressure wound dressings for diabetic foot wounds", Ann. Vasc. Surg., 17(6):645-9 (2003). NPL-132	
25	EISENBUD, D.E., "Dressings" in Modern wound management, Anadem Publishing, pp. 109-116 (January 1999). NPL-134	
26	EMERSON, J. H. Emerson Co., "Emerson Transport Suction Unit", 1 sheet of advertisement. NPL-138	
27	EMERSON, Series 55, "Emerson post-operative suction pumps", 1 sheet of advertisement. NPL-139	
28	ERDMANN, D., et al., "Abdominal wall defect and enterocutaneous fistula treatment with the vacuum-assisted closure (VAC) system", Plast. Reconstruct. Surg., 108(7):2066-8 (December 2001). NPL-141	
29	FERREIRA, M.C., et al., "The vacuum assisted closure of complex wounds: report of three cases", Rev. Hosp. Clin. Fac. Med. S. Paulo, 58(4):227-30 (2003). NPL-151	
30	FISHER, A., et al., "Vacuum assisted wound closure therapy", Issues Emerg. Health Technol., Issue 44, 6 pp. (March 2003). NPL-154	
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31	GRAMS ASPIRATOR, et al., Grams Medical, catalog pp. (3 pp.) (prices as of August 1991 and September 1992). NPL-175	
32	GREER, S.E., "Whither subatmospheric pressure dressing?" Ann. Plast. Surg., 45(3):332-336 (April 2000). NPL-180	
33	HALLBERG, H., et al., "Vaginal construction with skin grafts and vacuum-assisted closure", Scand. J. Plast. Reconstr. Surg. Hand Surg., 37(2):97-101 (2003). NPL-184	
34	HARGENS, A.R., et al., "Control of circulatory function in altered gravitational fields", Physiologist, 35(1 Suppl.):S80-3 (4 sheets) (February 1992). NPL-189	
35	HERRMANN, L.G., et al., "The conservative treatment of arteriosclerotic peripheral vascular diseases: passive vascular exercises (pavaex therapy)", Ann. Surg., 100(4): 750-760 (October 1934). NPL-199	
36	HESS, C.L., et al., "A review of mechanical adjuncts in wound healing: hydrotherapy, ultrasound, negative pressure therapy, hyperbaric oxygen, and electrostimulation", Ann. Plast. Surg., 51(2):210-8 (August 2003). NPL-204	
37	HILSABECK, J.R., "The presacral space as a collector of fluid accumulations following rectal anastomosis: tolerance of rectal anastomosis to closed suction pelvic drainage", Dis. Colon Rectum, 25(7):680-684 (October 1982). NPL-206	
38	HODZIC, J., et al., "Vacuum sealing of extensive wound healing disorders after kidney transplantation," Urologe A., (6 sheets in German, English abstract on page 2 and 1 sheet printout from PubMed); 42(8):1097-100 (August 2003) (Epub April 3, 2003). NPL-208	
39	Howmedica porto-vac®, "Gentle, Steady Wound Drainage", 1 page advertisement. NPL-212	
40	Industrial Equipment News, P.O. Box 1158, Skokie, IL 60076-9786, (1 sheet). NPL-218	
41	Instruction Manual, Creative Medical Laboratories, Inc. P.O. Box 6347, Rochester, Minn. 55903. "TUGS" (Transportable Universal Gradient Suction) (7 sheets). NPL-221	

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Attorney Docket Number		0101-P02977US1	

	42	AUFMAN, M.W., et al., "Vacuum-assisted closure therapy: wound care and nursing implications", Dermatol. Nurs., 15):317-20, 323-236 (August 2003). NPL-232							
	43	RASNER, D.L., "Managing wound pain in patients with vacuum-assisted closure devices", Ostomy Wound Manage., 8(5):38-43 (May 2002). NPL-243							
	44	AMKE, L.O., et al., "The evaporative water loss from burns and the water-vapour permeability of grafts and artificial embranes used in the treatment of burns", Burns, 3(3):159-165 (March 1977). NPL-247							
	45	ANDIS, E.M., et al., "The effects of alternate suction and pressure on blood flow to the lower extremities", J. Clin. vest., 12(5):925-561 (September 1933). NPL-249							
	46	ANGWORTHY, M., et al., "Treatment of the mangled lower extremity after a terrorist blast injury", Clin. Orthop. Relat. es., (422):88-96 (May 2004). NPL-251							
	47	CKRAZ, H., et al., "Vacuum-assisted closure as a treatment modality for infections after cardiac surgery", J. Thorac. diovasc. Surg., 125(2):301-5 (February 2003). NPL-260							
	MADDIN, W.S., et al., "The biological effects of a pulsed electrostatic field with specific reference to hair: electrotrichogenesis", Int. J. Dermatol., 29(6):446-450 (July - August 1990). NPL-263								
	49	Manualectric Breastpump, Catalog pp. (4 pp.). NPL-266							
	50	McCULLOCH, J.M., et al., "Vacuum-compression therapy for the treatment of an ischemic ulcer", Phys. Ther., 73 (3):165-9 (March 1993). NPL-270							
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